

TIPPECANOE COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
May 2, 2011

The Tippecanoe County Commissioners met on Monday, May 2, 2011 at 10:00 a. m. in the Tippecanoe Room in the County Office Building. Commissioners present were: President David S. Byers, Vice President Thomas P. Murtaugh, and Commissioner John L. Knochel. Also present were: Attorney David W. Luhman, Auditor Jennifer Weston, Commissioner's Assistant Frank Cederquist, and Secretary Kay Muse.

President Byers called the meeting to order and led the Pledge of Allegiance.

APPROVAL OF MINUTES

- Commissioner Murtaugh moved to approve the minutes of the February 18, 2011 regular meeting, second by Commissioner Knochel; motion carried.

PRESENTATION OF ACCOUNTS PAYABLE VOUCHERS

Commissioner's Assistant Frank Cederquist recommended approval of accounts payable vouchers for April 20, 21, 22, 29, and May 2, 2011 as submitted without exception.

- Commissioner Murtaugh moved to approve the accounts payable vouchers as presented, second by Commissioner Knochel; motion carried.

ORDINANCE 2011-11-CM – Rezone Z-2451 Scheumann Properties, LLC (PDRS to R2)

- Commissioner Murtaugh moved to hear Rezone Z-2451 Scheumann Properties, LLC (PDRS to R2) Ordinance 2011-11-CM, second by Commissioner Knochel; motion carried.

(quote)

April 21, 2011
 Ref. No.: 11-134

Tippecanoe County Commissioners
 20 North 3rd Street
 Lafayette, IN 47901

CERTIFICATION

RE: Z-2451--SCHEUMANN PROPERTIES, LLC (PDRS to R2):

Petitioner is requesting rezoning of 43.02 acres (the former Hawthorne Meadows PD) located adjacent to the south of Arlington Commons and Bridlewood Subdivisions, northeast of I-65 and west of CR 550 E, in Perry 30 (SW) 23-3.

Dear Commissioners:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on April 20, 2011 the Area Plan Commission of Tippecanoe County voted 12 yes - 0 no on the motion to rezone the subject real estate from PDRS to R2. Therefore, the Area Plan Commission of Tippecanoe County recommends to the Tippecanoe County Commissioners

that the proposed rezoning ordinance be APPROVED for the property described in the attachment.

Public Notice has been given that this petition will be heard before the Tippecanoe County Commissioners at their May 2, 2011 regular meeting. Petitioners or their representatives must appear to present their case.

Sincerely,

Sallie Dell Fahey
Executive Director

(unquote)

Attorney for the petitioner, Dan Teder, said Scott Giese is present to answer any questions the Commissioners may have. He went on to say that this is a request for a rezone of approximately 43 acres from PDRS to R2 and is located on the west side of CR 550 in Tippecanoe County. A favorable staff report from the Area Plan Commission (APC) was obtained with a vote of 12-0 in favor of the rezone. Included with this request is a portion of land owned by Tippecanoe County that includes a small portion of the legal drain ditch and is zoned PDRS. It was recommended by APC that this property be included in the request so there would not be a remnant piece of land zoned PDRS. Ten years ago this property was zoned PDRS so that small single-family homes could be built on the property. The demand for single-family homes has decreased since that time. The petitioner has plans for 88 duplexes on the site. Those plans include added green space than previously planned for the PDRS zoning. Arlington and Bridlewood subdivisions and Interstate 65 are on the north side of the property. This rezone does include a small portion of the legal drain ditch. There have been no known objections.

Commissioner Byers asked for any comments in favor of or opposing the rezone. There was none.

Auditor Weston recorded the vote:

Byers	Yes
Knochel	Yes
Murtaugh	Yes

Ordinance 2011-11-CM passes 3-0.

ORDINANCE 2011-12-CM – Rezone Z-2452 William J. Easterbrook (GB & NB to NBU)

- Commissioner Murtaugh moved hear Rezone Z-2452 William J. Easterbrook, Ordinance 2011-12-CM (GB & NB to NBU), second by Commissioner Knochel; motion carried.

(quote)

April 21, 2011
Ref. No.: 11-135

Tippecanoe County Commissioners
20 North 3rd Street
Lafayette, IN 47901

CERTIFICATION

RE: Z-2452 WILLIAM J. EASTERBROOK (GB & NB to NBU):

Petitioner is requesting rezoning of Lots 11 and 12 in Block 15 in Fowler's Addition to the unincorporated town of Stockwell. The property is also known as 9026 Yorktown Street, located on the west side of the street between Monroe and Church Streets, Stockwell, Lauramie 8 (NE) 21-3.

Dear Commissioners:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on April 20, 2011 the Area Plan Commission of Tippecanoe County voted 12 yes - 0 no on the motion to rezone the subject real estate from GB & NB to NBU. Therefore, the Area Plan Commission of Tippecanoe County recommends to the Tippecanoe County Commissioners that the proposed rezoning ordinance be APPROVED for the property described in the attachment.

Public Notice has been given that this petition will be heard before the Tippecanoe County Commissioners at their May 2, 2011 regular meeting. Petitioners or their representatives must appear to present their case.

Sincerely,

Sallie Dell Fahey
Executive Director

(unquote)

Petitioner William J. Easterbrook said this request would allow for the renovation of a building to accommodate apartments on the second floor. It is a small building and was originally zoned GB & LB. In the 1800's, when lots were 25 foot wide that is how they were zoned. The property is located in the town of Stockwell and this rezone will update the zoning for the property. Commissioner Murtaugh asked if the township office was on the first floor of this building. Mr. Easterbrook said it is next to that building.

Commissioner Byers asked for any comments in favor or opposing the rezone. There was none.

Auditor Weston recorded the vote:

Byers	Yes
Knochel	Yes
Murtaugh	Yes

Ordinance 2011-12-CM passes 3-0.

HIGHWAY – Opal Kuhl**Permit to Close a Road – Washington & Jefferson Streets in West Point**

Director Kuhl said this request is for the Annual West Point Lions Car Show. They are requesting to close Washington and Jefferson Streets and route traffic using signage. It is on May 14, 2011 from 6 a.m. to 2 p.m.

- Commissioner Murtaugh moved to approve the Permit to Close a Road as presented, second by Commissioner Knochel; motion carried.

Temporary Highway Easement Grant for Parcel 3 – Bridge U208

Director Kuhl presented a Temporary Easement Grant for Parcel No. 3 in the name of Evonics in the amount of \$1,000. It is for Bridge U208 located on Old Shadeland Road.

- Commissioner Murtaugh moved to approve the Temporary Easement Grant as presented, second by Commissioner Knochel; motion carried.

Director Kuhl announced that due to construction on the Lindberg Bridge any activities or meetings held at the Lilly Nature Center have been relocated. Questions can be directed to the West Lafayette Parks Department. If anyone needs to get into that area, contact the West Lafayette Parks Department or the Highway Department for assistance.

Commissioner Knochel asked if Bridge U209 commonly known as Hog Point Bridge is behind schedule due to the large amount of rain. Director Kuhl said that all projects are about two weeks behind because of the rain.

MITs – Dave Sturgeon**Approval of Cell Phone Policy**

Commissioner Murtaugh said this is a policy in regards to the cell phone allowance for the MITs staff and is modeled after the Highway Department Cell Phone Policy. It pays employees \$22 per month for voice coverage and 100% of the data plan if needed. It is for employees that have chosen to use their personal phone for work purposes.

- Commissioner Murtaugh moved to approve the Cell Phone Policy for the MITs Department as presented, second by Commissioner Knochel; motion carried.

CARY HOME – Rebecca Humphrey**TECTON Agreement for Plumbing Study**

Commissioner Murtaugh said that plumbing concerns have arisen at Cary Home. He added that the plumbing has never been replaced and this project has been budgeted for 2011. TECTON will be doing a study to determine plumbing needs. This agreement with TECTON includes the inspection, follow up research, documentation, and full report. The agreement is in the amount of \$3,650. Commissioner Knochel asked if the agreement includes water and waste lines that connect to the city lines. Commissioner Murtaugh replied that it does include those items.

- Commissioner Murtaugh moved to approve the agreement with TECTON as presented, second by Commissioner Knochel; motion carried.

TECTON Agreement for Sidewalk, Canopy, and Loading Dock Project

Commissioner Murtaugh said this agreement is for three separate projects at Cary Home. The projects are the replacement of a sidewalk to the front of the building, construction of a canopy that covers the entrance, which is below grade, and design the kitchen loading dock where food products are received. The projects have been budgeted for 2011 and are in the amount of \$5,105. It includes the design phase, the bidding phase, and the cost of construction services phase.

- Commissioner Murtaugh moved to approve the agreement with TECTON as presented, second by Commissioner Knochel; motion carried.

COMMUNITY CORRECTIONS – Dave Heath

Amending Advisory Board By-Laws

Director Dave Heath said this amendment would change three items in the by-laws for Community Corrections. Changes are as follows:

- Address from 629 N 6th Street to 2800 North 9th Street
- Regular meeting schedule from every 3 months to every 2 months
- Annual meeting from January to December
- Commissioner Murtaugh moved to approve the changes in the by-laws for the Community Corrections Advisory Board as presented, second by Commissioner Knochel; motion carried.

FINANCIAL SOLUTIONS GROUP CONTRACT – Jennifer Weston

Auditor Jennifer Weston said Financial Solutions Group presented a cost estimate for updating the County's sustainability analysis. It has been approximately 1½ years since a 3-year projection was completed. The total fee would not exceed \$7,500. Auditor Weston said time constraints prevent the Auditor's office from completing this task and the County needs to keep an eye on a 3-year plan especially when it comes to estimating circuit breaker. Commissioner Murtaugh added that those figures could help during budget hearings.

- Commissioner Murtaugh moved to approve the contract with Financial Solutions Group as presented, second by Commissioner Knochel; motion carried.

CONTRACT WITH INDIANA FAMILY AND SOCIAL SERVICES ADMINISTRATION (FSSA) **Vending Machines for County Government Facilities**

Attorney David Luhman said that Federal and State Law require that in the placement of vending machines in public facilities preference be given to vendors with disabilities. This is a renewal of the contract and agreement with FSSA. FSSA will continue to prequalify and place disabled vendors in County facilities. The agreement is renewed every three years.

- Commissioner Murtaugh moved to approve the contract with Indiana Family and Social Services Administration as presented, second by Commissioner Knochel; motion carried.

REPORTS ON FILE

Parks & Recreation
Public Library

UNFINISHED / NEW BUSINESS

Commissioner Byers said that the “Medal of Honor Bridge” would be dedicated Friday, May 6, 2011. The bridge is located on CR 500 East. Seven recipients of the Medal of Honor will be in attendance to witness the dedication of the bridge. Commissioner Knochel said that the dedication would begin at Faith Baptist Church at 11:00 a.m. with the ribbon cutting ceremony following at 2:00 p.m.

PUBLIC COMMENT

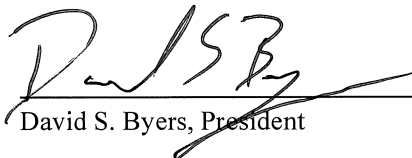
Paul Wright, West Point –reminded the Commissioners that Financial Solutions Group is the same company that said the County could afford \$2,000,000 a year to operate a juvenile center. Mr. Wright said, “It is the Commissioners contract, but it is our money that is being spent”. He added that when someone is being paid for their opinion they would most likely tell you what you want to hear. The plans of financial planners rarely work out. Mr. Wright added that although the Commissioners do not have an easy job, no one asks the cost to people who do not use these projects. One example is the trail that is six or eight feet under water. When the water recedes, it will cost money to maintain and repair the trail.

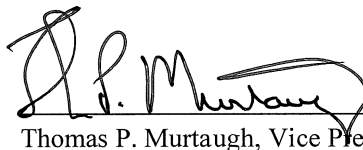
Commissioner Knochel, County Commissioner – said that in response to Mr. Wright’s comments the County has been using Financial Solutions Group (FSG) for many years adding that Financial Solutions Group has also saved the County money through upgrading the County’s bond rating.

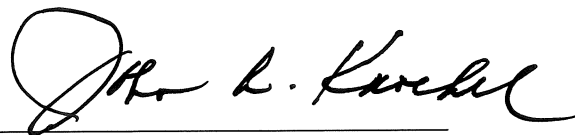
Sheriff Tracy Brown, Sheriff of Tippecanoe County – said that the “Annual Sheriff’s Fish Fry” benefiting the American Red Cross would be held Friday, June 3, 2011.

Commissioner Murtaugh moved to adjourn.

BOARD OF COMMISSIONERS OF THE COUNTY OF TIPPECANOE

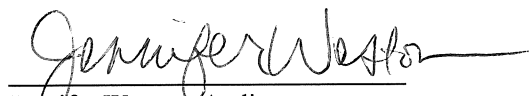

David S. Byers, President


Thomas P. Murtaugh, Vice President

A handwritten signature in black ink, appearing to read "John L. Knochel", written over a horizontal line.

John L. Knochel, Member

ATTEST:

A handwritten signature in black ink, appearing to read "Jennifer Weston", written over a horizontal line.
Jennifer Weston, Auditor 5-16-2011